

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

DONALD E. MITCHELL, JR.,

Case No. 2:19-cv-01827-JAD-DJA

Plaintiff,

ORDER

v.

WARDEN BRIAN WILLIAMS, et al.,

Defendants.

I. DISCUSSION

Plaintiff, who is an inmate in the custody of the Nevada Department of Corrections (“NDOC”), has filed an application to proceed *in forma pauperis* and has submitted a temporary restraining order with exhibits and three judicial notices. (ECF Nos. 1, 1-1, 1-2, 1-3, and 1-4). Plaintiff has not filed a complaint in this matter.

Pursuant to Federal Rule of Civil Procedure 3, “[a] civil action is commenced by filing a complaint with the court.” Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court. The Court will defer a decision on the application to proceed *in forma pauperis* until Plaintiff submits a proper initiating document for this case.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that a decision on the application to proceed *in forma pauperis* (ECF No. 1) is deferred.

IT IS FURTHER ORDERED that Plaintiff will submit a complaint to this Court within **thirty (30) days** from the date of this order.

IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The Clerk of the Court will also send Plaintiff a copy of his temporary restraining order with exhibits and the three judicial notices. (ECF Nos. 1-1, 1-2, 1-3, and 1-4).

III

1 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
2 dismissal of this action may result.

3 DATED this 23rd day of October, 2019.

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10 UNITED STATES MAGISTRATE JUDGE